

HCS HB 1667 -- POLITICAL SUBDIVISIONS

SPONSOR: Gatschenberger

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Local Government by a vote of 22 to 0.

This bill changes laws regarding political subdivisions. In its main provisions, the bill:

(1) Authorizes political subdivisions other than municipalities and counties to obtain a criminal record review for and to require fingerprinting of employment applicants. Language containing an outdated reference to the MULES system is repealed;

(2) Authorizes, beginning January 1, 2015, any city, town, village, sewer district, or water supply district, upon voter approval, to impose a fee of up to \$4 per month or \$48 annually for each lateral sewer service line providing sewer service to a residential property having four or fewer dwelling units for the purpose of repair or replacement due to failure of the lateral sewer service lines extending from the residential dwelling to its connection with the public sewer system. The fee may be added to the general tax levy bill of the property owner and collected in the same manner as delinquent real estate taxes and tax bills;

(3) Exempts certain voluntary annexations from boundary commission review in St. Louis County. The annexation is not prohibited by the existence of an established unincorporated area;

(4) Defines "E-book" and "digital resource or material" and adds them to the definition of "library material." Currently, an employee or agent of a library cannot be required to release all or a portion of a library record to anyone except the person identified in the record or by court order. The bill adds any third party contracted by a library that receives, transmits, maintains, or stores a library record to the list of those who cannot release a record. A person whose privacy is compromised due to the release of a record may file a written complaint within 180 days of the alleged violation with the Office of the Attorney General describing the facts surrounding the alleged violation. Upon receipt of the complaint, the Attorney General must review each complaint and may initiate legal action if appropriate. A person whose privacy is compromised may also bring a private civil action in the circuit court of the county in which the library is located to recover damages. The court may award punitive damages and attorney fees to the prevailing party but attorney fees may be awarded to a prevailing respondent only upon a showing that the case is without foundation; and

(5) Authorizes the Governor to convey certain state property located in St. Francois County to the City of Farmington.

PROPONENTS: Supporters say that the bill provides what amounts to an "insurance pot" to help a landowner pay the costs of fixing lateral sewer lines.

Testifying for the bill was Representative Gatschenberger.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say they opposed a provision in the original bill but they did not realize that the provision had been removed in the House Committee Substitute.

Testifying on the bill was Public Water Supply District #2 of St. Charles County.